

EXHIBIT 5



宁德新能源科技有限公司
Ningde Amperex Technology Limited

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BY EMAIL AND SF EXPRESS

Zhuhai CosMX Battery Co., Ltd.

Address: No. 209, Zhufeng Road, Doumen District, Zhuhai 519180, P.R. China

Attn: Mr. Zebiao Li (李泽标先生)


Email: lizebiao@cosmx.com

Dear Mr. Zebiao Li (李泽标先生),

In furtherance of our ongoing discussions, Ningde Amperex Technology Limited ("ATL") continues to believe Zhuhai CosMX Battery Co. Ltd. ("CosMX") is using ATL's patented technology in batteries CosMX sells, offers for sale, markets, or delivers to various original equipment manufacturers that ship finished consumer electronic products to the United States. Any such use of ATL's patented technology is without permission and may subject CosMX to an injunction and/or monetary damages for all unauthorized use of ATL's patented technology in the United States. ATL continues its investigation and has attached two additional representative claim charts demonstrating how CosMX batteries imported into the United States infringe ATL Patent Nos. 10,964,987 and 10,833,363.

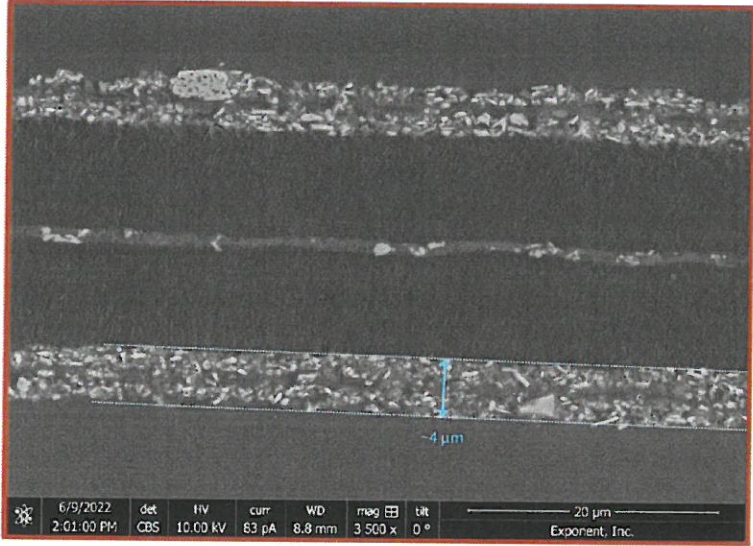
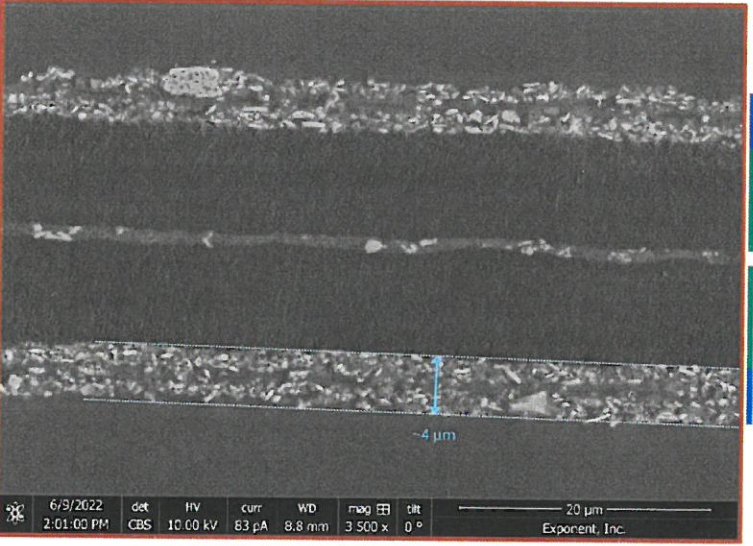
Unless CosMX agrees to immediately cease importation of all infringing batteries to the United States and sales and distribution of all infringing batteries already in the United States, ATL will promptly seek to enforce its patent rights in Federal District Court in the United States. Again, I can be reached at the email address or telephone number set forth below if you would like to discuss these claim charts.


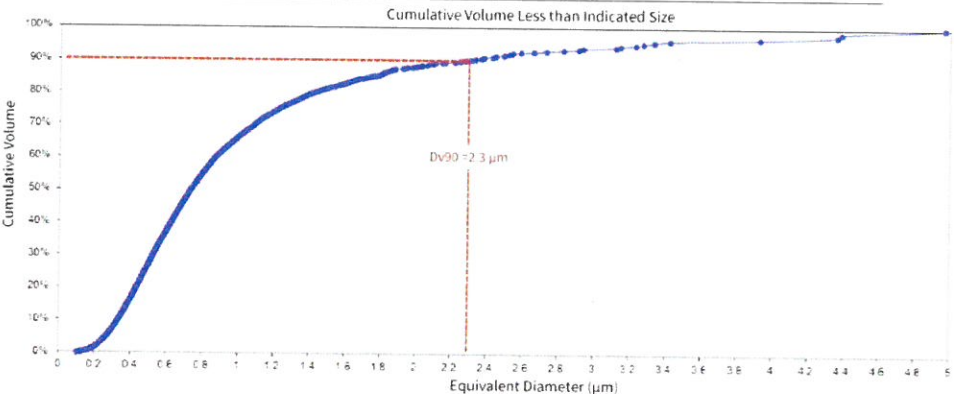
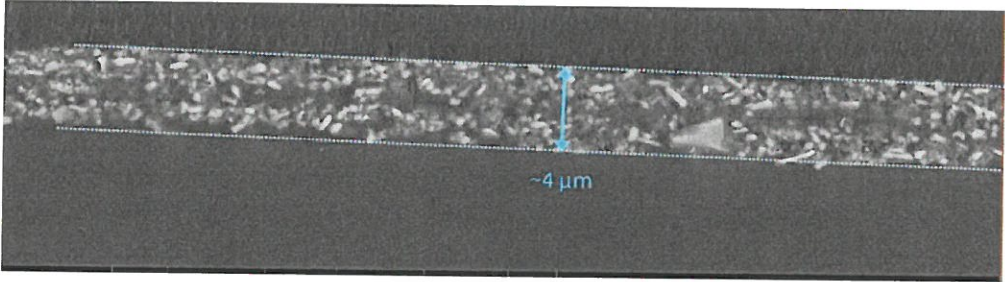
Ningde Amperex Technology Limited

By: 
Name: Jason Qian
Title: General Counsel
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Cell: +86 18596662177


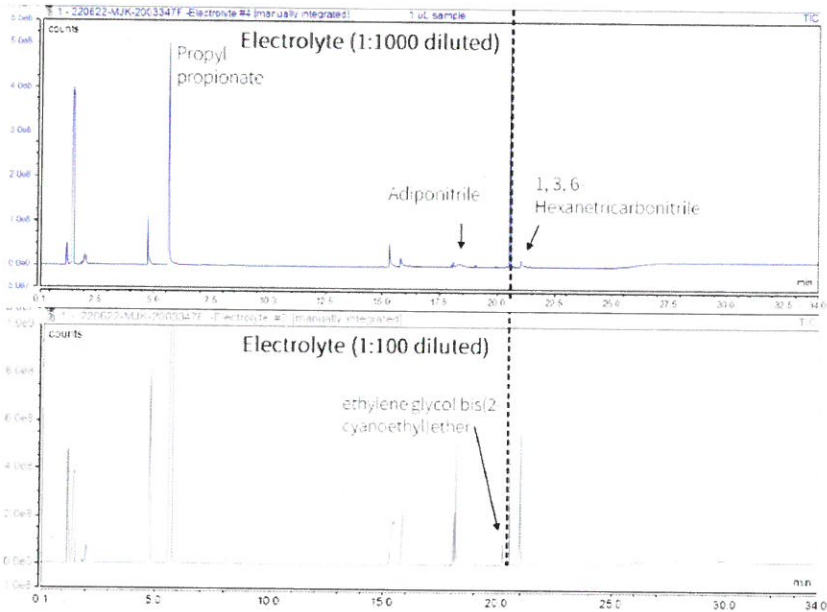
Date: August 2, 2022

Comparison of U.S. Patent No. 10,964,987 to the CosMX CA3862E1 Battery Cell

Claim 1	CosMX CA3862E1 Battery Cell
A separator, comprising	<p>The CA3862E1 battery cell comprises at least one separator:</p>  <p>The image is a cross-sectional scanning electron micrograph (SEM) of the battery cell separator. It shows two main separator regions, Separator 1 and Separator 2, separated by a dark, non-porous layer. Separator 1 and Separator 2 each consist of a porous layer on top and a porous substrate on the bottom. A blue arrow points to a thin layer within Separator 2, labeled with a thickness of approximately 4 μm. A scale bar at the bottom indicates 20 μm. Technical data at the bottom includes: 6/9/2022, 2:01:00 PM, det CBS, HV 10.00 kV, curr 63 pA, WD 8.8 mm, mag 3,500 x, tilt 0 °, and Exponent, Inc.</p>
a porous layer arranged on a surface of the porous substrate	<p>The CA3862E1 comprises at least one porous layer arranged on a surface of a porous substrate:</p>  <p>This image is identical to the one above, showing a cross-sectional SEM of the battery cell separator. It highlights the structure of Separator 1 and Separator 2, each with a porous layer and a porous substrate. A blue arrow indicates a layer thickness of approximately 4 μm. A scale bar at the bottom indicates 20 μm. Technical data at the bottom includes: 6/9/2022, 2:01:00 PM, det CBS, HV 10.00 kV, curr 63 pA, WD 8.8 mm, mag 3,500 x, tilt 0 °, and Exponent, Inc.</p>

<p>wherein the porous layer comprises inorganic particles and a binder</p>	<p>The CA3862E1's porous layer comprises inorganic particles (white specks) and a binder:</p> 
<p>and a ratio of Dv90 of the inorganic particles to the thickness of the porous layer is in a range from 0.3 to 3.0</p>	<p>The ratio of Dv90 of the inorganic particles to the thickness of the porous layer in the CA3862E1 fall within the claim range:</p> <p>Dv90 Calculation</p>  <p>DV90 calculated to be approximate 2.3 micrometers.</p>  <p>Thickness of porous layer measured to be approximately 4 micrometers.</p> <p>Ratio of DV90 to Porous Layer = $(2.3)/(4)$ = approximately 0.6. Thus, the ratio falls within the claimed range of $0.3 \leq 0.6 \leq 3.0$.</p>

Comparison of U.S. Patent No. 10,833,363 to the CosMX CA3862E1 Battery Cell

Claim 1	CosMX CA3862E1 Battery Cell
An electrolyte, comprising:	<p>The CA3862E1 battery cell comprises an electrolyte.</p> 
a dinitrile compound, a trinitrile compound, and propyl propionate	<p>The CA3862E1 comprises at least one dinitrile compound (adiponitrile and ethylene glycol bis(2-cyanoethyl)ether), at least one trinitrile compound (1,3,6-hexanetricarbonitrile), and propyl propionate.</p> 
wherein, based on a total weight of the electrolyte, a weight	<p>The CA3862E1 battery cell's dinitrile and trinitrile compounds have the following weight percentages based on total weight of electrolyte as determined via GC-MS:</p>

percentage of the dinitrile compound is X and a weight percentage of the trinitrile compound is Y,	<table><tr><th colspan="3">Weight Percent in Electrolyte</th></tr><tr><td>Propyl propionate</td><td>Adiponitrile</td><td>1, 3, 6-Hexanetricarbonitrile</td></tr><tr><td>28.8</td><td>1.9</td><td>1.1</td></tr></table> <table><tr><th>Weight Percent in Electrolyte</th></tr><tr><td>Ethylene glycol bis(2-cyanoethyl)ether</td></tr><tr><td>0.6</td></tr></table>	Weight Percent in Electrolyte			Propyl propionate	Adiponitrile	1, 3, 6-Hexanetricarbonitrile	28.8	1.9	1.1	Weight Percent in Electrolyte	Ethylene glycol bis(2-cyanoethyl)ether	0.6
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Propyl propionate	Adiponitrile	1, 3, 6-Hexanetricarbonitrile											
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Weight Percent in Electrolyte													
Ethylene glycol bis(2-cyanoethyl)ether													
0.6													
where X and Y meet conditions represented by Formula (1)... about 2 wt % $\leq(X+Y)\leq$ about 11 wt %	The weight percentages of the dinitrile and trinitrile compounds in the CA3862E1 battery cell fall within the claim range. Weight of Adiponitrile (1.9 wt%) + Ethylene Glycol Bis(2-cyanoethyl) ether (0.6 wt%) + Hexanetricarbonitrile (1.1 wt%) = 3.6 wt% about 2 wt % \leq 3.6 wt % \leq about 11 wt %												
and Formula (2): about 0.1 \leq X/Y \leq about 8	The ratio of weight percentages of the dinitrile and trinitrile compounds in the CA3862E1 battery cell fall within the claim range $\frac{\text{Weight of Adiponitrile (1.9 wt\%)} + \text{Ethylene Glycol Bis(2 - cyanoethyl) ether (0.6 wt\%)}}{\text{Hexanetricarbonitrile (1.1 wt\%)}}$ is approximately equal to 2.3. About 0.1 \leq 2.3 \leq about 8												
wherein, based on the total weight of the electrolyte, a weight percentage of the propyl propionate is Z,	The CA3862E1 battery cell's propyl propionate has the following weight percentages based on total weight of electrolyte as determined via GC-MS: <table><tr><th colspan="3">Weight Percent in Electrolyte</th></tr><tr><td>Propyl propionate</td><td>Adiponitrile</td><td>1, 3, 6-Hexanetricarbonitrile</td></tr><tr><td>28.8</td><td>1.9</td><td>1.1</td></tr></table>	Weight Percent in Electrolyte			Propyl propionate	Adiponitrile	1, 3, 6-Hexanetricarbonitrile	28.8	1.9	1.1			
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where Y and Z meet a condition represented by Formula (3): about $0.01 \leq Y/Z \leq$ about 0.3	<p>The ratio of weight percentages of the trinitrile compounds and propyl propionate in the CA3862E1 battery cell fall within the claim range:</p> $\frac{\text{Hexanetricarbonitrile (1.1 wt\%)}}{\text{Propyl Propionate (28.8 wt\%)}}$ <p>is approximately equal to 0.04. About $0.01 \leq 0.04 \leq$ about 0.3</p>
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